

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

IN re:

PHILLIP CUNNINGHAM,

Debtor.

Chapter 13
Case No. 09-36606-cgm

PHILLIP CUNNINGHAM, individually and as alleged sole
managing member of 90 Gibney Avenue, LLC,

Plaintiff,

-against-

Adv. Proc No.10-09047-cgm

**ARIES FINANCIAL, LLC, AL LONDON, DOUGLAS
KAHAN, CANDICE LONDON, NRF FUNDING AKA
NRF FUNDING LLC, GENE SENICI,
CATHERINE INNISS, WILLIE HERNANDEZ, et al,**

Defendants.

ORDER APPROVING SETTLEMENT WITH ARIES AND KAHAN

UPON the motion dated July 8, 2013 (the “Motion”), for an order pursuant to Fed. R. Bankr P. 9019 approving the partial settlement by the above Chapter 13 debtor (the “Debtor”), Case No. 09-36606, of the adversary proceeding in this Court under AP Number 10-09047 (the “Adversary Proceeding”) as against Aries Financial LLC, Albert London aka Albert O. London, and Candice London (“Aries”), and as against Douglas Kahan aka Douglas Kahan Esq. (“Kahan”), and all creditors and the Chapter 13 Trustee having been given sufficient notice of the proposed partial settlement, and the Court having heard Peter M. Frank, Senior Staff Attorney, Legal Services of the Hudson Valley, attorney for the Chapter 13 Debtor and Plaintiff

in the said Adversary Proceeding, at a hearing held on August 13, 2013, and there having been no appearance in opposition thereto, and due deliberation having been had thereon, and it appearing that the partial settlement as against Aries and Kahan is fair and reasonable and in the best interests of the Debtor(s) and the Estate, it is hereby

ORDERED, that the Motion is granted and the Debtor is authorized to enter into and perform the partial settlement with Aries and Kahan as set forth in the said Motion; and it is further

ORDERED, that the Debtor is authorized, without the need for further Court Order, to enter into and perform any other act and to enter into any agreement in furtherance of the partial settlement with Aries and Kahan that are required to effectuate the said settlement and tax payment agreement.

Dated: August 29, 2013
Poughkeepsie, New York

/s/ Cecelia G. Morris

Chief U.S. Bankruptcy Judge